



Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: April 10, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Resolution 28-14 – A Resolution of Intent to Appropriate a 0.016 Acre, More or Less, Permanent Easement and a 0.047 Acre, More or Less, Temporary Easement from Elizabeth Miller for the Property Located at 367 South High Street for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project.

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Elizabeth Miller (the "Grantor"). After multiple attempts to engage in negotiations with the Grantor, it appears that the City may be forced to appropriate the needed property from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

Property to be Appropriated

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 273-000157	
Parcel 32	
Permanent Easement	0.016 ± acres
Temporary Easement	0.047 ± acres

Recommendation

Staff recommends approval of Resolution 28-14 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

28-14

Resolution No. _____

Passed _____

20 _____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.016 ACRE, MORE OR LESS, PERMANENT EASEMENT; AND A 0.047 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM ELIZABETH MILLER, FOR THE PROPERTY LOCATED AT 367 SOUTH HIGH STREET FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT.

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Dublin Road (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent easement and a temporary easement from Elizabeth Miller, as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of installing a multi-use path, a permanent easement and a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

CIP 1 of 1
PARCEL 08-009
PROJECT 32-P
Version Date DUBLIN MUP 11/01/13

**PARCEL 32-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 8 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and as conveyed to Elizabeth S. Miller, by deed of record in Instrument Number 200101180011712, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the southeast corner of said Lot 8 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence North 85 deg. 07 min. 37 sec. West, a distance of 8.32 feet along the southerly line of said Lot 8, to a point being 38.00 feet left of centerline station 162+11.85;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 85.49 feet across said Lot 8 to a point in the northerly line of said Lot 8, being 38.00 feet left of centerline station 162+97.37;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 8.32 feet along the northerly line of said Lot 8, to the northeast corner of said Lot 8, being 30.00 feet left of centerline station 162+99.64;

Thence South 20 deg. 43 min. 23 sec. West, a distance of 85.49 feet along the easterly line of said Lot 8, and along the existing westerly right-of-way line of Dublin Road, to the **Point of Beginning**, containing 0.016 acres, more or less.

Of the above described area, 0.016 acres are contained within Franklin County Auditor's Parcel 273-000157.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 200101180011712, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 11/3/13
Registered Surveyor No. 7191 Date

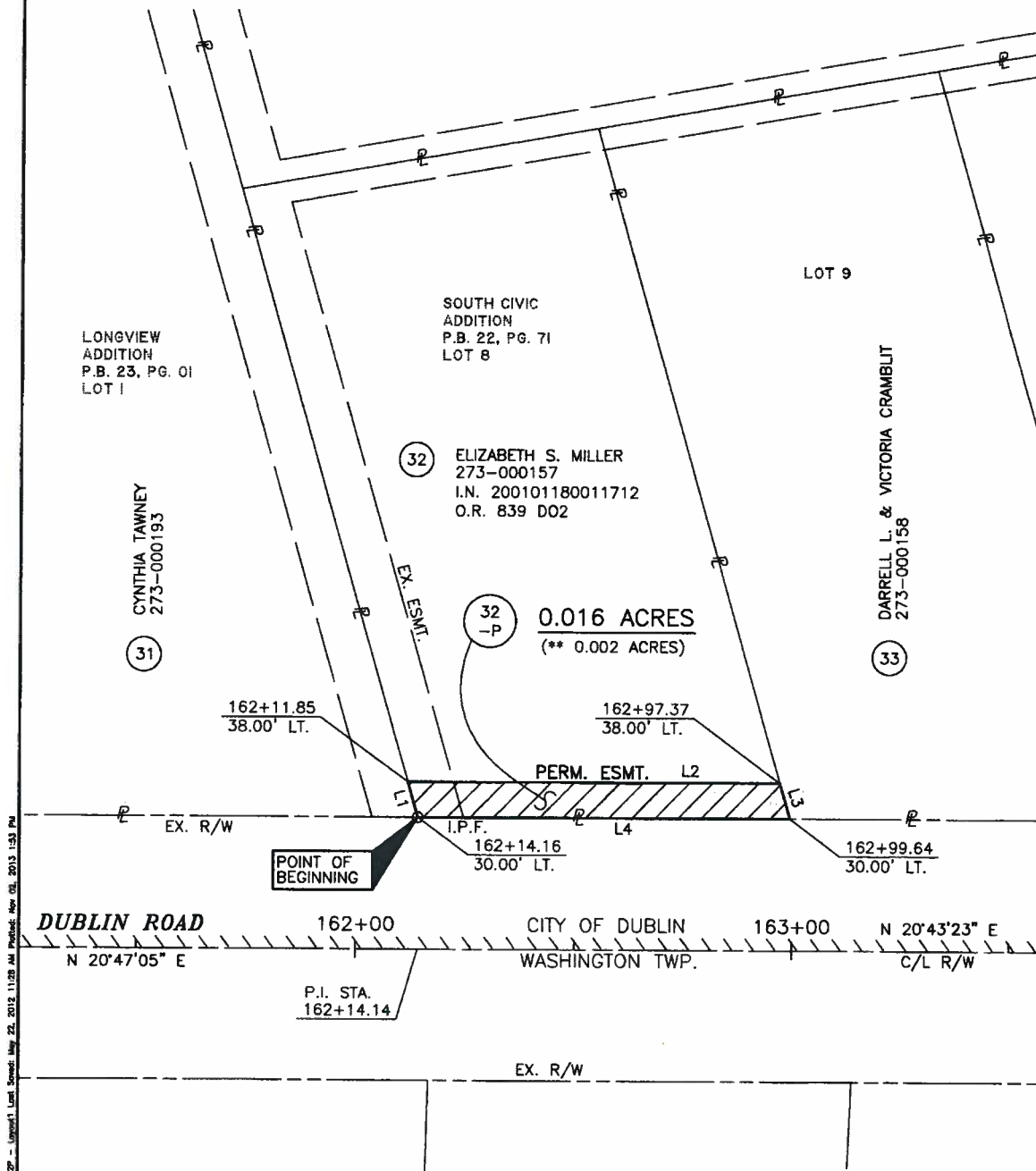
** PORTION OF THE PROPOSED EASEMENT
LYING WITHIN AN EXISTING EASEMENT

EXHIBIT B



MONUMENT LEGEND

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



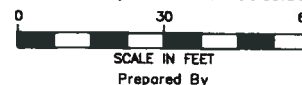
NUMBER	DIRECTION	DISTANCE
L1	N 85°07'37" W	8.32'
L2	N 20°43'23" E	85.49'
L3	S 85°07'37" E	8.32'
L4	S 20°43'23" W	85.49'

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (88), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



PARCEL 32-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader
Registered Surveyor #7191

11/3/13
Date

DRAWN: STEVE (11/13/2013) 10:00 AM; CHECKED: STEVE (11/13/2013) 10:00 AM; DATE: 11/13/2013 10:00 AM; PROJECT: DUBLIN ROAD SOUTH MULTI-USE PATH; SHEET: 1 OF 1

EXHIBIT A

	1 of 2
CIP	08-009
PARCEL	32-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

**PARCEL 32-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 8 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and as conveyed to Elizabeth S. Miller, by deed of record in Instrument Number 200206130146642, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at an iron pin found marking the southeast corner of said Lot 8 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence North 85 deg. 07 min. 37 sec. West, a distance of 8.32 feet along the southerly line of said Lot 8, to the **Point of True Beginning** of the herein described parcel, being 38.00 feet left of centerline station 162+11.85;

Thence continuing North 85 deg. 07 min. 37 sec. West, a distance of 40.31 feet along the southerly line of said Lot 8, to a point being 76.77 feet left of centerline station 162+00.79;

Thence the following five (5) courses and distances across said Lot 8;

1. Thence North 06 deg. 19 min. 21 sec. East, a distance of 35.20 feet to a point being 85.54 feet left of centerline station 162+34.98;
2. Thence South 83 deg. 40 min. 39 sec. East, a distance of 5.82 feet to a point being 79.90 feet left of centerline station 162+36.42;
3. Thence North 05 deg. 26 min. 14 sec. East, a distance of 3.53 feet to a point being 80.83 feet left of centerline station 162+39.83;
4. Thence South 85 deg. 07 min. 37 sec. East, a distance of 37.24 feet to a point being 45.00 feet left of centerline station 162+50.00;
5. Thence North 20 deg. 43 min. 23 sec. East, a distance of 45.39 feet across said Lot 8 to a point in the northerly line of said Lot 8, being 45.00 feet left of centerline station 162+95.39;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 7.28 feet along the northerly line of said Lot 8, to a point being 38.00 feet left of centerline station 162+97.37;

Thence South 20 deg. 43 min. 23 sec. West, a distance of 85.49 feet across said Lot 8 to the **Point of True Beginning**, containing 0.047 acres, more or less.

EXHIBIT A

CIP 2 of 2
PARCEL 08-009
PROJECT 32-T
Version Date DUBLIN MUP
05/18/12

Of the above described area, 0.047 acres are contained within Franklin County Auditor's Parcel 273-000157.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 200206130146642, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.

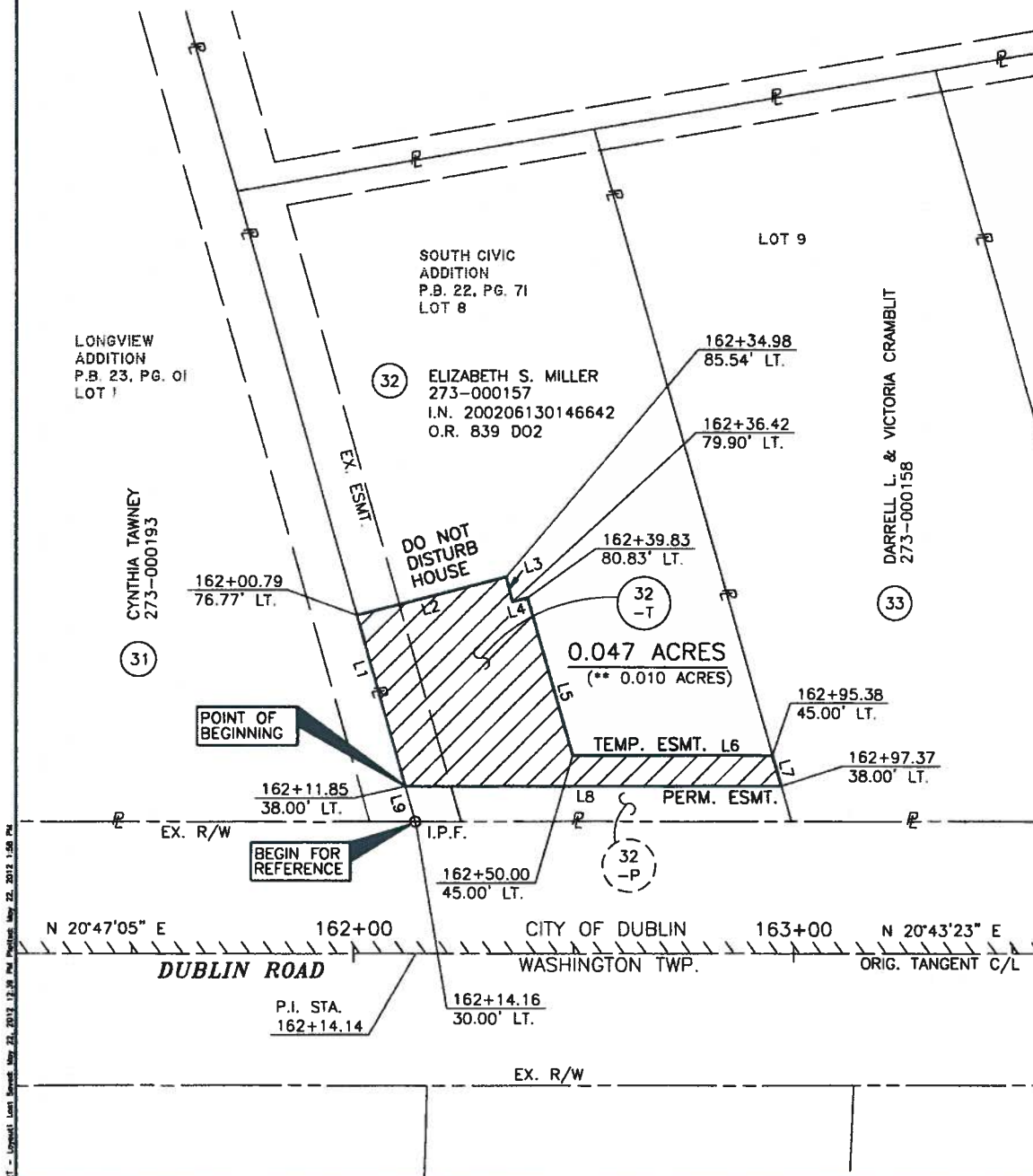


STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 5/22/12
Registered Surveyor No. 7191 Date

NUMBER	DIRECTION	DISTANCE
L1	N 85°07'37" W	40.31'
L2	N 06°19'21" E	35.20'
L3	S 83°40'39" E	5.82'
L4	N 05°26'14" E	3.53'

NUMBER	DIRECTION	DISTANCE
L5	S 85°07'37" E	37.24'
L6	N 20°43'23" E	45.39'
L7	S 85°07'37" E	7.28'
L8	S 20°43'23" W	85.49'
L9	N 85°07'37" W	8.32'



- ☒ R.R.S. FOUND
- ☒ REBAR FOUND
- ☒ IRON PIN FOUND
- ☒ MONUMENT BOX
- ☒ 3/4" IRON PIN SET

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

PARCEL 32-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stontec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Shantec

ntec *Steven E Rider*
Registered Surveyor #7191

5/22/12
Date